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March 24, 2020

VIA ECF

The Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/25/2020

Re: United States of America v. Rick Dane, Jr.
20 Cr. 160-10 (MKV)
Request to Modify Conditions of Release

Dear Judge Vyskocil:

I am the attorney for the defendant in the above-referenced matter, having been appointed pursuant to the provisions of the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006 A. Mr. Dane was charged by indictment with conspiracy to commit drug alteration and misbranding drugs used for horses. On March 9, 2020, Mr. Dane was presented before the United States District Court for the Central District of California. Prior to Mr. Dane’s release and return to the Southern District of New York, the Court set certain conditions for his release including a \$50,000.00 personal recognizance bond as well as the additional condition that prohibited him from having access to horses. At the present time, Mr. Dane is responsible for approximately 25 horses. Mr. Dane has obtained assistance from other people to feed, groom, and generally care for those horses. However, due to the present health crisis, it is not known whether they will be able to continue to assist Mr. Dane. If the horses are not fed and groomed on a daily basis, these horses may become sick and die. The defense respectfully requests that the Court modify the conditions of release to allow Mr. Dane to have access to the horses for which he is responsible so that he may feed and groom the horses.

Mr. Dane will stipulate that none of the horses for which he is responsible will be involved in racing; that he will limit his activity with the horses to the area of one barn located at 335 Guymard Turnpike, Mount Hope, New York; and he will agree to install a

security camera system and will allow the Government remote access so that law enforcement can view his activity.

The defense respectfully requests that the Court modify the conditions of Mr. Dane's release to allow him to have access to approximately 25 horses and further ordering that none of the horses in Mr. Dane's care may be involved in racing; that Mr. Dane will limit his activity with the horses to the area of one barn located at 335 Guymard Turnpike, Mount Hope, New York; and Mr. Dane will install a security camera system that will allow the Government to have remote access so that law enforcement can view his activity at that location; and that the security camera system must be installed before Mr. Dane will be allowed access to the horses. The Government has no objection to this request.

Respectfully submitted,

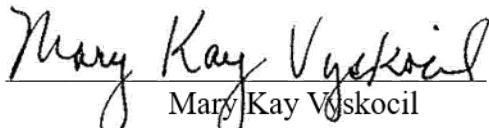
/s/

Calvin H. Scholar

cc: United States Attorney for the
Southern District of New York

DENIED. SO ORDERED.

Date: 3/25/2020
New York, New York


Mary Kay Viskocil
United States District Judge